

REMARKS

Claims 1-9 and 13-24 are currently pending in this application. By this Response, Applicants have amended claims 1, 3, 7, 13, 17 and 22 and have canceled claims 2 and 8. Applicants respectfully submit no new matter was added by these amendments and that the amendments are fully supported by the specification as originally filed.

The Examiner has rejected claims 1-3 under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection.

Specifically, the Examiner maintains that the claim language "broadcasting a request by the client node for assignment of a network identifier from the server" may lead to misinterpretation because it is not clear whether the client node is broadcasting or the server node is broadcasting said request. Applicants, however, fail to see how the claim language can be misinterpreted. The claim clearly calls for broadcasting the request by the client node, and that the request is for a network identifier from the server.

The application clearly supports the client node as being the network element that broadcasts the request. For example, as provided in the specification, "[e]ach client node 12 is capable of broadcasting an address request throughout the network." (Application, p. 4, fourth full paragraph, first sentence). Notwithstanding the above argument, Applicants have amended claim 1 to read "broadcasting a request ~~by the client node~~ for assignment of a network identifier from the server, the request being broadcast by the client node." This modification to the language is not considered to further limit the claim in any manner. Accordingly, Applicants believe the rejection is moot and request that it be withdrawn.

The Examiner has rejected claims 17-21 and 23-24 under 35 U.S.C. 102(e) as being anticipated by Krivoshein. Applicants respectfully traverse this rejection.

Claim 17, as amended herein, is directed to a method of assigning a network identifier to a plurality of client nodes by a network adapter. The method includes the network adapter

“transmitting a toggle signal having a predetermined number of active-inactive transitions” and a client node having a default identifier “storing the number of active-inactive transitions” of the toggle signal. The method further includes the network adapter “transmitting a signal to obtain the number of active-inactive transitions from the client node.” In this manner, the network adapter can progressively assign each client node with a default identifier a network identifier.

Krivoshein does not disclose a system wherein a toggle signal having a number of active-inactive states is utilized in a method of identifying client nodes having an initialized default identifier and reassigning the default identifier with a network identifier. Accordingly, Krivoshein cannot anticipate claim 17.

In view of the above, Applicants respectfully submit that claim 17 as amended is patentable over Krivoshein. Claims 18-21 and 23-24 depend on claim 17 and include each of its limitations. Accordingly, for the reasons given above with respect to claim 17, Applicants respectfully submit claims 18-21 and 23-24 are also patentable over Krivoshein.

The Examiner has rejected claims 1-9 and 22 under 35 U.S.C. 103(a) as being unpatentable over Krivoshein in view of Lorenz. Applicants respectfully traverse this rejection.

Claim 1, as amended herein, is directed to a method which includes “determining a location of the client node.” In this regard, claim 1 further requires “transmitting a toggle signal from the server, the toggle signal having an amount of state transitions, storing the amount of state transitions in the memory of the client node” and “identifying the client node having the default identifier and the amount of state transitions.”

Krivoshein does not disclose the method of claim 1. As acknowledged by the Examiner, Krivoshein does not disclose “determining a location of the client node.”

The Examiner relies on Lorenz for determining a location of a client node. (Office Action of December 7, 2005, p. 6). However, contrary to the Examiner’s position Lorenz does not disclose a method which includes “transmitting a toggle signal from the server, the toggle

Page 10

signal having an amount of state transitions” as required by claim 1. Instead, Lorenz discloses a system where a signal P is transmitted by the master, which then listens for the first response from a slave device. The device “which is located spatially closest to the master” will be the first (chronologically) to detect the signal and respond. (See Lorenz, col. 5, line 66 – col. 6, line 3). There is no disclosure in Lorenz of the signal P including “state transitions” or of the slave device storing the state transitions.

Accordingly, the combination of Krivoshein and Lorenz fail to disclose each of the limitations of claim 1. Accordingly, Applicants respectfully submit claim 1 is patentable over Kiroshin in view of Lorenz.

Claim 3 depends on claim 1 and includes each of its limitations. Accordingly, Applicants respectfully submit claim 3 is also patentable over Kiroshin in view of Lorenz.

Claim 4, as amended herein, is directed to a method that includes “transmitting a toggle signal having a number of state transitions from the network server.” As set forth above, both Kiroshin and Lorenz fail to disclose this limitation. Accordingly, Applicants respectfully submit claim 4 is patentable over Kiroshin and Lorenz.

Claims 5-6 depend on claim 4 and include each of its limitations. Accordingly, Applicants respectfully submit claims 5-6 are also patentable over Kiroshin and Lorenz.

Claim 7, as amended herein, is directed to a medium readable by a programmable device wherein the medium includes a “segment for transmitting a toggle signal, the toggle signal having an amount of state transitions.” As set forth above, both Kiroshin and Lorenz fail to disclose this limitation. Accordingly, Applicants respectfully submit claim 7 is patentable over Kiroshin and Lorenz.

Claim 9 depends on claim 7 and include each of its limitations. Accordingly, Applicants respectfully submit claim 9 is also patentable over Kiroshin and Lorenz.

Claim 17 has been amended to include the step of “transmitting a toggle signal having a

Page 11

predetermined number of active-inactive transitions.” As set forth above, both Kiroshin and Lorenz fail to disclose this limitation. Accordingly, Applicants respectfully submit claim 17 is patentable over Kiroshin and Lorenz.

Claim 22 depends on claim 17 and includes each of its limitations. Accordingly, Applicants respectfully submit claim 22 is also patentable over Kiroshin in view of Lorenz.

The Examiner has rejected claims 13 and 15-16 under 35 U.S.C. 103(a) as being unpatentable over Farsi in view of Lorenz. Applicants respectfully traverse this rejection.

Claim 13, as amended herein, is directed to a system that includes “a network identifier being assigned to each client node of the plurality of client nodes by the server node, the network identifier of each client node being assigned a unique value in response to the location of each respective client node to the server node, the location of each client node being determined in part by a toggle signal having a number of state transitions transmitted by the server node.”

Among other limitations not present, the Examiner acknowledges Farsi does not disclose “the network identifier of each client node being assigned a unique value in response to the location of each respective client node to the server node.”

As discussed above, Lorenz fails to disclose a toggle signal having a number of state transitions. Accordingly, the combination of Farsi and Lorenz fails to disclose each of the limitations of claim 13.

In view of the above, Applicants respectfully submit claim 13 is patentable over Farsi in view of Lorenz. Claims 15 and 16 depend on claim 13 and include each of its limitations. Accordingly, Applicants respectfully submit claims 15 and 16 are also patentable over Farsi in view of Lorenz.

The Examiner has rejected claims 14 under 35 U.S.C. 103(a) as being unpatentable over Farsi in view of Lorenz and in view of Krivoshein. Applicants respectfully traverse this rejection.

Atty Docket No. SAA-61 (402P254)

U.S. Application No. 10/004,311

Filed: November 26, 2001

Page 12

Claim 14 depends on claim 13 and includes each of its limitations. For the reasons given above neither Farsi, Kiroshin or Lorenz disclose each of the limitations of claim 13. Accordingly, Applicants respectfully submit claim 14 is patentable over Farsi in view of Kiroshin.

Atty Docket No. SAA-61 (402P254)

U.S. Application No. 10/004,311

Filed: November 26, 2001

Page 13

CONCLUSION

In light of the foregoing reasons, Applicants respectfully request reconsideration and allowance of claims 1, 3-7, 9, and 13-24. The Commissioner is authorized to charge any additional fees or credit any overpayments associated with this Amendment to Deposit Account 23-0280. Applicants further invite the Examiner to contact the undersigned representative at the telephone number below to discuss any matters pertaining to the present Application.

Respectfully submitted,

Date: February 21, 2006

By: 

Richard C. Himelhoch, Reg. No. 35,544

Customer No. 46901

WALLENSTEIN WAGNER & ROCKEY, LTD.

311 South Wacker Drive, 53rd Floor

Chicago, Illinois 60606-6604

(312) 554-3300

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on, February 21, 2006.


Sarah J. Goodnight (239637)